

# The Odisha Gazette

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

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No.1945, CUTTACK, SATURDAY, OCTOBER 19, 2024/ASWINA 27, 1946

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[No.4870—ST-BT-MISC-0019/2024/ST.]

SCIENCE & TECHNOLOGY DEPARTMENT

RESOLUTION

The 19th October, 2024

**SUB.: OPERATIONAL GUIDELINES FOR REIMBURSEMENT FOR REGISTRATION OF  
PATENT, GI, TRADEMARK AND DESIGN UNDER OBP-2024.**

*(Science & Technology Department Resolution No-393-ST-BT-MISC-0026/2022/ST.,  
dated the 25th January, 2024) (See Para- 4.2.12 of OBP-2024)*

The State Government of Odisha is providing assistance under the provisions of Odisha Biotechnology Policy, 2024 to stimulate inventions/Innovations by domestic producers and to get legal protection for their inventions through Patent, GI, Trademark and Design.

**1. Short Title:**— Operational guidelines for Reimbursement for registration of Patent, GI, Trademark and Design under Odisha Biotechnology Policy, 2024.

**2. Extent:** —It shall extend to the whole of the State of Odisha.

**3. Commencement:** — It shall come into force from the “Effective Date” of Odisha Biotechnology Policy 2024 i.e. dated *25th January, 2024*.

**4. Terms and Expressions:**—Terms and expressions used in this operational guideline, but not specifically defined here, shall have the same meaning as in Odisha Biotechnology Policy, 2024.

**5. Definition:** —

**1. Intellectual Property includes industrial property like—**

- (i) Patent (means a patent for any invention granted under the Act and invention means a new product/composition/apparatus/device/machine or process

involving an inventive step and capable of industrial application) registrable under The Indian Patents Act-1970 (as amended by The Patents Amendment Act - 1999 and as amended by The Patents Amendment Act, 2005.

- (ii) Industrial Designs (Shape, Configuration, Pattern, Ornamentation or composition of lines or colours as applied to any article whether in two dimensional or three dimensional or in both forms, by any industrial process or means) registrable under The Designs Act, 2000.
- (iii) Trademarks (a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one person from those of others and may include shape of goods, their packaging and combination of colours) registrable under The Trade Marks Act - 1999.
- (iv) Geographical Indications (in relation to goods, means an indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating, or manufactured in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured goods one of the activities of either the production or of processing or preparation of the goods concerned takes place in such territory, region or locality, as the case may be ) registrable under The Geographical Indications of Goods (Registration and Protection) Act, 1999 .

## **2. Competent Registering Authorities are-**

- (i) The Controller General of Patents, Designs and Trade Marks, (CGPDTM) under the administrative control of The Department for Promotion of Industry & Internal Trade, Ministry of Commerce & Industry, Government of India.
- (ii) Registrar of Geographical Indications, Chennai under the administrative control of The Department for Promotion of Industry & Internal Trade, Ministry of Commerce & Industry, Government of India.
- (iii) And their field / branch offices and shall include any other agency recognized by the Government of India for such registration of Patents or other Intellectual Property Rights as may be enforceable by law in India or abroad.

**6. Policy Provisions:—** Reimbursement for registration of Patent, GI, Trademark and Design: Assistance under this category will be applicable only for patents leading to manufacturing of Biotechnological products. The maximum financial assistance (one time) to the eligible applicants is as follows:

- |                          |               |
|--------------------------|---------------|
| i. Foreign patent:       | Rs.5.0 Lakh   |
| ii. Domestic patent:     | Rs.2.0 Lakh   |
| iii. GI Registration:    | Rs.2.0 Lakh   |
| iv. Design Registration: | Rs.0.25 Lakh  |
| v. Trademark:            | Rs. 0.25 Lakh |

**7. Eligibility:—**

The Biotechnology Units/ Institutes/ startups/ innovators/Govt. Agencies pursuing R & D activities engaged in Biotechnology based service or product development are eligible to avail the above mentioned assistance.

- 7.1 New Biotechnology unit coming under MSME Enterprise / Large/ Mega Units as defined in OBP-2024.
- 7.2 Existing Micro / Small / Medium / Large and Mega Units taking up Expansion / Modernization / Diversification as defined Odisha Biotechnology policy 2024.
- 7.3 However, defaulters of Banks / Development Financial Institutions / SIDBI / OSFC / IPICOL / Government and Government controlled agencies will be eligible for such incentives only after they clear the dues.
- 7.4 If the Biotechnology unit/ Institute/ Startup/ Innovator/Govt. Agencies has availed assistance / subsidy / any incentive towards the registration of the same patent or and Intellectual Property Right, GI, Trademark or Design from any State Govt. or the Central Govt. (GoI) or Govt. Agencies or any Financial Institution(s) of the country or abroad , it shall be eligible for the differential amount only.
- 7.5 The applicable incentive shall not be sanctioned & disbursed if the Biotechnology unit/Institute/Startup is found closed / has gone out of production. It may be deferred and effected on satisfactory resumption of production.

## **8. Eligible costs of assistance shall include:—**

1. Cost of Application Form, processing charges, and all other costs / charges / fees, known by whatever name, paid to the competent registering authority.
2. Reasonable expenditure incurred on documentation for the purpose of registration of patent / IPR including reasonable fees paid to the consultants as consultancy fees and cost of work of preparation, reprography of art-work, industrial design etc.
3. The total amount of assistance under these rules shall be limited to the amount in each head as mentioned in the OBP-2024.

## **9. Time frame for filing Application: —**The entrepreneur/ Institute/ Startup/ Innovator shall submit his claim within **one year** from the date of obtaining Patent Intellectual Property Right registration. Application in the prescribed form received after the due date / incomplete in any respect shall be liable to be summarily rejected.

## **10. Procedure: —**

1. Biotechnology unit/ Institute/ Startup/ Innovator/Govt. Agencies satisfying the eligibility shall file application in the prescribed form appended to this operational guideline at Annexure **-A'** along with copies of all relevant documents as mentioned in the Checklist at Annexure **-B'** (in duplicate in case of MSME Enterprises & Large/ Mega Units) to the Director, Biotechnology within the prescribed time limit.
2. Copies of the documents as indicated in the checklist shall be self - attested by Proprietor / Promoter/ Managing Partner / Managing Director / Authorized Signatory.
3. Applications received will be placed before the Scrutiny Committee consisting of the following members for screening and recommendation:
  - I. Director, Biotechnology-Chairperson
  - II. Subject Experts-Member
  - III. FA-Member
  - IV. Representatives of R&D Institutes (2 Nos.)-Member
  - V. Deputy Director, Biotechnology-Member Convener

4. If required, Director Biotechnology may refer the proposal or obtain technical opinion from any other Govt. / Semi Govt./ Certified Private Organization within the country or abroad in the matter prior to sanction of assistance.

#### **11. Sanction and Disbursement:—**

- a. With the recommendation of the Screening Committee, Director Biotechnology, Science & Technology Department, shall issue the sanction order to the Biotechnology Unit within 15 days after obtaining due Government approval.

#### **12. Miscellaneous:—**

**12.1** The Applicant shall immediately intimate to the Director, Biotechnology if the Patent/ GI/ Design/ Trademark Registration is revoked by the authority for any reason.

**12.2** The Applicant shall also immediately intimate to the Director, Biotechnology, if the patent and Intellectual Property Right is gifted, inherited, assigned, sold or licensed during the period of right with due approval of the Registering Authority concerned.

**12.3** The Assistance or any part thereof with penal interest as decided by the authority shall become forthwith repayable by the entrepreneur(s) on the following events, namely-

(a) If the information furnished is found to be false / incorrect / misleading or mis-represented and there has been suppression of facts / materials or disbursed in excess of the amount actually admissible for whatsoever reason.

(b) If the Patent/ GI/ Design/ Trademark registered is revoked by the authority for any reason within five years of registration.

**15.** Time limit prescribed in this guideline is of working days only.

By Order of the Governor  
CHITHRA ARUMUGAM  
Principal Secretary to Government

**APPLICATION FOR SANCTION AND DISBURSEMENT OF  
ASSISTANCE ON PATENT, GI, TRADEMARK AND DESIGN UNDER OBP-2024**

*Application received after the due date / incomplete in any respect shall be liable for rejection)*

(Strike out whichever is not applicable)

From

M/s. \_\_\_\_\_

At \_\_\_\_\_

PO \_\_\_\_\_

Sub-Division \_\_\_\_\_

Dist. \_\_\_\_\_

(Location of the Industrial Unit)

To

The Director, Biotechnology

Science & Technology Department, Govt. of Odisha

7th Floor, Kharvela Bhawan

Bhubaneswar-751001

Sub.: Sanction & disbursement of assistance on Patent, GI, Trademark and Design  
under OBP-2024.

Sir,

In accordance with the provisions laid down in Odisha Biotechnology Policy, 2024 and operational guidelines, the claim for assistance on Patent, GI, Trademark and Design is submitted herewith with following particulars.

1	Category (Institute/ Startup/ Innovator/ Micro / Small / Medium Enterprises / Large and Mega Units/Govt. agencies)	:	
2	New Biotechnology units / Existing Biotechnology Units taking up expansion / modernization / diversification	:	
3	Address of Registered office	:	

4	Type of organization (Proprietorship / Partnership / Co-operative / Private Limited / Public Limited)	:				
5	Name of Proprietor /Promoter/ Managing Partner / Managing Director / Authorized Signatory	:				
6	EM-II / PC / IEM / I L No. and date	:				
7	Items of manufacture / activity	:	Original /  E/M/D	Item (s)	Quantity	Value
8	Date of commencement of production	:				
9	Date of commencement of production of E/ M/D	:				
10	Total capital investment (Head / item -wise & specify investment in Laboratory / R&D Lab )	:	Original	E/M/D	Total	
	a	:				
	b	:				
11	Name of the Financial Institution  Specify the date of sanction & amount of term loan / working capital loan	:				
12	Whether loan has been availed from FI / Banks for the purpose of obtaining Patent & Intellectual Property Right Registration, if so specify-	:				
	a. Name of F I / Bank	:				
	b. Amount of loan availed	:				
13	Items of Patent/other IPR Registered & date of its commercial use by the applicant unit.	:				

14	Name & address of the Patent/other IPR Registration Authority which has accorded registration.		
15	Patent/ GI/ Design/ Trademark Regn. No. with date (copy to be submitted)		
16	Amt. of expenditure incurred for getting Patent, GI, Design and Trademark. (Copy of the bills/vouchers/receipt etc. be submitted with a statement )		
17	Details of assistance sanctioned / availed so far with sanction order no. & date	:	
18	Present claim for assistance	:	
19	Details of assistance sanctioned / availed from any State Govt. or the Central Govt.(GoI) or Govt. Agencies or any Financial Institutions of the country or abroad, with sanction order no. & date		
20	Differential amount of Claim		

I ,Ms./Mr. \_\_\_\_\_ S/D/o \_\_\_\_\_ at present \_\_\_\_\_ (designation) of M/S \_\_\_\_\_ (name of the industrial unit) certify that the information furnished as above is true and correct to the best of my knowledge and belief.

I hereby undertake to abide by the terms and conditions prescribed under the provisions of Odisha Biotechnology Policy, 2024 and **its operational guidelines**.

I hereby undertake to repay the assistance amount or any part thereof with penal interest as decided by the authority-

(a) If the information furnished is found to be false / incorrect / misleading or misrepresented and there has been suppression of facts / materials or disbursed in excess of the amount actually admissible for whatsoever reason.



(b) If the Patent/ GI/ Design/ Trademark registered is revoked by the authority for any reason within five years of registration.

I hereby certify that this Biotechnology Unit/Applicant has not applied / sanctioned / availed any amount of assistance under any other scheme of the State Govt. or the Central Govt. or any Financial Institution(s) / Support organization in the country and abroad against which the present claim is made.

Copies of relevant documents in support of information / facts furnished above are **enclosed** here with.

- 1.
- 2.
- 3.

Signature of the Proprietor / Promoter/ Managing Partner / Managing Director /

Authorized Signatory in full and behalf of

Date.

M/s -----

**Annexure –B****CHECK LIST**

Copies of documents to be attached with the application shall be self-attested by  
 Proprietor / Managing Partner/Managing Director / Authorized Signatory  
 (Strike out whichever is not applicable)

1	Entrepreneurs Memorandum- II / PC / IEM / Industrial License / Production Certificate
2	Power of Attorney / Board Resolution / Society Resolution, as applicable, while signing as Partner / Managing Director / Authorized person.
3	Certificate of registration under Indian Partnership Act1932 / Societies Registration Act- 1860 / Certificate of incorporation (Memorandum of association & Article of Association ) under Company Act-1956
4	Document in support of date of first investment in fixed capital for original / Expansion / Modernization / Diversification i.e plant & machinery and balancing equipment
5	Appraisal / approval for Expansion / Modernization / Diversification as in –Annexure –I - Definition and Interpretation of IPR.
6	Statement on fixed asset acquired & installed for Lab. / R&D Lab. supported with bills & vouchers
7	Term loan sanction order of OSFC / Banks / FI
8	Sanction order of loan availed from FI / Banks for the purpose of obtaining Patent/ GI/ Design/ Trademark registration.
9	Registration Certificate of Patent/ GI/ Design/ Trademark.
10	Statement on expenditure incurred for getting Patent/ GI/ Design/ Trademark with copy of the bills / vouchers / receipt etc.
11	Details of assistance sanctioned / availed so far from State Govt. or the Central Govt.(GoI) or Govt. Agencies or any Financial Institutions of the country or abroad, with sanction order no & date and other supporting documents
12	Undertaking on non-judicial Stamp Paper duly signed by the applicant in the format – Annexure- B1
13	Document in support of delay in implementation condoned by Empowered Committee

**UNDERTAKING**

(Strike out whichever is not applicable)

- i. I / We shall abide by the terms and conditions prescribed under the provisions of Odisha Biotechnology Policy, 2024 and its operational guidelines.
- ii. I / We shall repay the assistance for Patent/ GI/ Design/ Trademark registration or any part thereof with penal interest as decided by the authority-
  - a. If the information stated above is found to be false/ incorrect / misleading or misrepresented and there has been suppression of facts / materials or if found to have been disbursed in excess of the amount actually admissible for whatsoever reason.
  - b. If the industrial unit goes out of production for a period exceeding six months at a time for any reasons other than labour troubles, want of electric power or for the reason which is beyond the control of entrepreneur / management during the period of incentives.
- iii. I / we the promoter(s) have not defaulted to Banks / Development Financial Institutions / SIDBI / OSFC / IPICOL / Government and Government controlled agencies in connection with the unit for which the incentive is sought or for any other unit / activity in the state with which concerned promoter(s) is / are directly or indirectly associated.
- iv. This Biotechnology unit/ Institute/ Startup/ Innovator/Govt. Agency has not applied/ not availed / availed assistance for Patent/ GI/ Design/ Trademark Registration under any other scheme of the State Govt. or the Central Govt. or Govt. Agencies or any Financial Institution(s) in county & abroad.

I / we shall furnish its audited financial statements and other periodical statements of each financial year to the Director, Biotechnology during the period of incentives.

	Signature of Proprietor /Promoter/ Managing Partner/
Place-	Managing Director / Authorized Signatory
Date-	in full and on behalf of M/s-----